

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

OBM, INC.,

Plaintiff,

v.

LANCIUM LLC,

Defendant.

Civil Action No: 4:23-cv-01798

**JURY TRIAL DEMANDED**

**DECLARATION OF RODNEY R. MILLER IN SUPPORT OF OBM’S RESPONSE IN  
OPPOSITION TO DEFENDANT LANCIUM LLC’S MOTION TO DISMISS FOR LACK  
OF SUBJECT MATTER / DECLARATORY JUDGMENT JURISDICTION**

I, Rodney R. Miller, being over the age of 18 and competent to make the declarations herein, do hereby declare that:

1. I am the Attorney-in-Charge for Plaintiff OBM, Inc. (“OBM”) in this matter. I submit this Declaration in support of OBM’s Response in Opposition to Defendant Lancium, LLC’s Motion to Dismiss for Lack of Subject Matter / Declaratory Judgment Jurisdiction.

2. The exhibits attached to this declaration are true and correct copies of the following:

| <b>Exhibit</b> | <b>Description</b>   |
|----------------|--|
| 1              | Kurt W. Rhode, Barnes & Thornburg Profile, accessed at <a href="https://btlaw.com/people/kurt-rohde">https://btlaw.com/people/kurt-rohde</a>   |
| 2              | <i>Lancium Wins Patent Litigation Against Austin Storms</i> , PR Newswire (March 7, 2023), <a href="https://www.prnewswire.com/news-releases/lancium-wins-patent-litigation-against-austin-storms-301764991.html">https://www.prnewswire.com/news-releases/lancium-wins-patent-litigation-against-austin-storms-301764991.html</a> |
| 3              | Oct. 4, 2022 email chain between D. Lawrence and I. Rock re Foreman   Lancium  |
| 4              | Jan. 6, 2023 email chain between D. Lawrence, I. Rock, and B. Greenfield re NDA  |
| 5              | Apr. 3, 2023 email chain between D. Lawrence and I. Rock re Foreman and Lancium  |
| 6              | Apr. 5, 2023 calendar invitation from M. McNamara to D. Lawrence re Dan & Michael  |
| 7              | Apr. 18, 2023 email chain between D. Lawrence, I. Rock, and S. McFarland re Foreman   Lancium  |

| Exhibit | Description  |
|---------|--|
| 8       | Apr. 26, 2023 calendar invitation from S. McFarland to D. Lawrence re Meeting Reschedule   |
| 9       | May 2, 2023 email chain between D. Lawrence and S. McFarland re THANK YOU and follow-up  |
| 10      | May 4, 2023 calendar invitation from S. McFarland to D. Lawrence re Scott/Dan – quick chat   |
| 11      | May 8, 2023 email chain between D. Lawrence and S. McFarland re Lancium follow-up  |
| 12      | May 9, 2023 email chain between D. Lawrence and S. McFarland re Lancium NDA  |
| 13      | Foreman, <i>Videos</i> , YouTube (Nov. 2, 2022), <a href="https://www.youtube.com/@foremanmining/videos">https://www.youtube.com/@foremanmining/videos</a>   |
| 14      | W. Foley, The Mining Pod, <i>Automation &amp; Remote Management with Foreman</i> , Compass Mining (Mar. 28, 2023), <a href="https://compassmining.io/education/automation-remote-management-with-foreman-daniel-lawrence-the-mining-pod/">https://compassmining.io/education/automation-remote-management-with-foreman-daniel-lawrence-the-mining-pod/</a> |

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, pursuant to Section 1746 of Title 28 of the United States Code.

Dated: June 30, 2023

/s/ Rodney R. Miller  
Rodney R. Miller